

## REMARKS

Claims 1-11, and 17-20 are pending in the applications.

Claim 3 is withdrawn.

5      Claims 1, 2, 4-11, and 17-20 stand rejected.

Claim 1 has been amended to cite an adhesive composition having a block copolymer with (B<sub>0</sub>) comprising "92 - 98%" (B<sub>1</sub>) and 2 to 8% (B<sub>2</sub>). This amendment is supported by original disclosure at page 5, line 9 of the English translation of the French priority document. Claim 1 was amended to include the  
10      limitations of other components of the adhesive composition, as found in claim 17. Claim 17 is cancelled without prejudice

New claim 22 has been added, supported by original claim 1 and page 5 line 12-14 of the English translation of the French priority document.

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It is believed no new matter is added by any amendments.

## Claim Objections

In claim 1, there are two different "n"s, the "n" in lines 3 and 4, and the "n" in  
20      the core I formula in line 20 of claim 1. Applicant agrees with the Examiner that this could lead to some confusion. Applicant has amended the first formula to read "n'" to distinguish the two.

## 35 U.S.C. §112

25      Claims 1-2, 4-11, and 17-20 stand rejected under 35 U.S.C. §112, second paragraph as being indefinite. Specifically:

- a) Claim 1 recites the broad limitation "acids and their derivatives" then recites such as acrylic acid, methacrylic acid and their sodium or potassium salts". Claim 1 has been amended to cancel the more specific citation.
- 30      b) Claim 18 includes the term "such as". Applicant has amended claim 18 to remove the "such as" phrases.
- c) Claim 9 recites a broad "Tg of less than 0°C" and also a "preferably" range. Claim 9 has been amended to remove the "preferably" phrase.

d) Claims 10 and 11 recite “preferably” phrases. Claims 10 and 11 have been amended to remove the “preferably” phrases.

e) In claim 1, the “n: in the formulae is not defined. Applicant has amended claim 1. Applicant has amended claim 1 to define the “n” term. This amendment is support by disclosure on page 4, line 22-24 of the English translation of the original specification.

f) In claim 5, “preferably” causes confusion. Claim 5 was amended to remove the term “preferably”.

g) Claim 18 is unclear as to what “trimellitate **type**” refers to. Applicant has amended the claim to state a “trimellitate oil”, which is a better translation of the French priority document. The trimellitate oil is disclosed, with an example in the English translation of the original specification on page 9, lines 14, and page 19, line 3.

h) Claim 18 uses the Trademark “Catenex N 956.” This trademark has been deleted.

i) Claim 19 uses the term “typically”. This term has been deleted.

35 U.S.C. §102

Nesvadba

Claims 1, 4-8, 10 and 17-20 stand rejected under 35 U.S.C. §102(b) as being anticipated by Nesvadba (US 6,262,206). The Nesvadba reference fails to teach all of Applicant’s claim elements, and therefore fails to present a *prima facie* case of anticipation. Specifically, the Nesvadba reference fails to teach a block copolymer as an adhesive that must have at least one hydrophilic monomer – preferably an acid monomer or salt thereof. The requirement of the hydrophilic (acid) monomer is key to the invention, as stated on page 5, lines 14-18 of the Disclosure: “The presence of the monomers which are acids and/or salts of acids is essential for improving certain properties, in particular for improving the adhesion, of the adhesive compositions of the invention but also for increasing the Tg of the blocks comprising such monomers and thus increasing the difference in the solubility coefficients between the various blocks of the block copolymer.”

The Nesvadba reference describes a polymerization process for making controlled-architecture block polymers, using a nitroxide initiator. Applicant also

makes use of a nitroxide initiator in producing the claimed block copolymer for use in an adhesive composition. The Nesvadba reference mentions the use of the block polymers as adhesives (Col. 12, lines 22 – 34), but fails to describe the requirement of acid monomer units as part of one or more of the polymer blocks.

5 Nesvadba does mention alternating polar and non-polar blocks for use as surfactants or dispersants (Col. 12, lines 35-38), but not as adhesives.

The Nesvadba reference lists almost all possible ethylenically unsaturated monomers as monomers usable in his claimed compositions, but there is no recognition of a requirement for acid monomers in at least one block to produce an improved adhesive. Since the use of polar (acid) monomers as part of an acrylic block copolymer in an adhesive was not recognized by the Nesvadba reference as result effective, the acid block composition could not be optimized by routine experiment to lead to Applicant's claims (MPEP 2144.05). There is no teaching, or suggestion in the Nesvadba reference of the specific, limited adhesive compositions of Applicant's claims.

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#### Guerret

Claims 1-2, 4-8, 10 and 17-20 stand rejected under 35 U.S.C. §102(b) as being anticipated by Guerret (US 6,657,043). The Guerret reference fails to teach all of Applicant's claim elements, and therefore fails to present a *prima facie case* of anticipation. Specifically, the Guerret reference fails to teach a block copolymer as an adhesive that must have at least one hydrophilic monomer – preferably an acid monomer or salt thereof.

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The Guerret reference describe polyalkoxyamines obtained by beta-substituted nitroxides. As with the Nesvadba reference, there is no teaching or suggestion of producing the specific block copolymer containing polar (acid) monomer units for use in an adhesive composition.

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#### 35 U.S.C. §103

##### 30 Nesvadba

Claims 9 and 11 stand rejected under 35 U.S.C. §102(b) as anticipated by, or in the alternative under 35 U.S.C. §103(a) as obvious over Nesvadba.

As described above, the Nesvadba reference fails to teach or suggest Applicant's amended claim elements and limitations of an adhesive composition having a block copolymer with polar (acid) functionality.

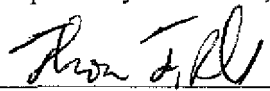
5 Guerret

Claims 9 and 11 stand rejected under 35 U.S.C. §102(b) as anticipated by, or in the alternative under Guerret Nesvadba reference fails to teach or suggest Applicant's amended claim elements and limitations of an adhesive composition having a block copolymer with polar (acid) functionality.

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In view of the above, the Applicant believes that the reasons for rejection have been overcome, and the claims herein should be allowable to the Applicant. Accordingly, reconsideration and allowance are requested.

15 Respectfully submitted,

  
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Thomas F. Roland, Esq.  
Attorney for the Applicants  
20 Reg. No. 42,110

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